

REMARKS

Summary of the Office Action

Claims 43-61, 63, 65-85, 127-144, 146, 148-168, 210-228, 230, and 232-252 are pending in this application.

Claims 43, 44, 46-61, 63, 65-77, 127, 128, 130-144, 146, 148-160, 210, 211, 213-228, 230, 232-244 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Young U.S. Patent No. 4,706,121 (hereinafter "Young") in view of Schindler et al. U.S. Patent No. 5,995,155 (hereinafter "Schindler").

Claims 45, 129, and 212 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Young and Schindler in view of Lawler U.S. Patent No. 5,805,763 (hereinafter "Lawler").

Claims 75-85, 161-168, and 245-252 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Young and Schindler in view of Marsh U.S. Patent No. 6,208,799 (hereinafter "Marsh").

Summary of Applicants' Reply

Claims 43, 127, and 210 have been amended in order to more particularly define the invention.

Claim 50 has been amended to correct a typographical error.

New machine-readable media claims 255-294, which correspond to method claims 127-144, 146, and 148-168, have been added.

No new subject matter has been added and the amendments and the new claims are fully supported and justified by the specification.

The Examiner's rejections are respectfully traversed.

Applicants' Reply to the Rejections Based
on the Combination of Young and Schindler

Applicants' independent claims 43, 127, 210, and 255 are directed to a method, systems, and machine-readable media for scheduling television programs for recording on user television equipment. Program listings for television programs associated with a plurality of television channels are stored. A user is allowed to schedule a recording of a television program. A series of television programs that is associated with the television programs scheduled for recording is identified from the stored program listings. The user is allowed to schedule a recording of a subset of the series of television programs where the subset includes a

plurality of television programs that are selected from the series based on a combination of user-supplied criteria.

The Examiner acknowledges that applicants' invention patentably improves upon Young by allowing the user to schedule a recording of a subset of the series of television programs identified from the stored program listings, where the subset includes a plurality of television programs that is less than all of the television programs in the series (see Applicants' Interview Summary of August 1, 2003). The Examiner, however, attempts to use Schindler to show this feature of applicants' invention. More specifically, the Examiner contends that Schindler discloses removing duplicate shows when recording a series thereby allowing the user to schedule a recording of less than all of the television programs in the series as required by applicants' claims 43, 127, and 210. The Examiner's contention is respectfully traversed.

As described above, amended independent claims 43, 127, and 210 further specify that the subset of the series scheduled for recording is selected from the series of television programs based on a combination of criteria supplied by the user (e.g., first run, rerun, day, etc.). This feature allows the user to select for recording a subset

of television programs in the series that have characteristics that are desirable to the user. For example, the user may schedule to record favorite reruns, missed episodes, and/or new episodes of a series.

Schindler does not show or suggest this feature. Instead, Schindler simply employs a database to keep track of previously viewed or recorded television programs and uses this information to automatically avoid recording "duplicate" programs when the user schedules a recording of a series (see column 4, lines 16-18). Thus, Schindler only discloses automatically recording a series of television programs without allowing the user to select which television programs in the series to record. Therefore, the combination of Young and Schindler fails to show or suggest allowing the user to schedule a recording of a subset of the series of television programs where the subset includes a plurality of television programs that are selected from the series based on a combination of user-supplied criteria as specified by amended independent claims 43, 127, and 210.

Accordingly, for at least this reason, the rejection of claims 43, 127, and 210 should be withdrawn. See In re Royka, 490 F.2d. 981, 180 USPQ 580 (CCPA 1974) ("To establish *prima facie* obviousness of a claimed invention, all

claim limitations must be taught or suggested by the prior art"); see also MPEP § 2143.03. Dependent claims 44-61, 63, 65-85, 128-144, 146, 148-168, 211-230, and 232-252 are likewise patentable over the combination of Young and Schindler. See In re Fine, 837 F.2d. 1071, 1074 (Fed. Cir. 1988) ("Dependent claims are non-obvious under 35 U.S.C. § 103 if the independent claim from which they depend are non-obvious").

New Claims 255-294

New claims 255-294 have been added. New independent claim 255 is directed towards machine-readable media and is similar to independent method claim 127. Therefore, new claim 255 is patentable for similar reasons as to why claim 127 is patentable. New dependent claims 256-294 add further patentable features to independent claim 255 and are similar to dependent method claims 128-144, 146, and 148-168.

Conclusion

The foregoing demonstrates that claims 43-61, 63, 65-85, 127-144, 146, 148-168, 210-228, 230, 232-252, and 255-294 are allowable.

Applicants respectfully submit that this application is in condition for allowance. Prompt consideration and allowance of this application are respectfully requested.

Respectfully submitted,



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